

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-30060-MAP

JOSEPH F. SCHEBEL, JR.,
Plaintiff/Pro Se

v.

JOHN MOCCIO, individually and in his official capacity as
patrolman for the Agawam Police, JOHN KUNASEK, JR.,
individually and in his official capacity as patrolman for the
Agawam Police, RICHARD LIGHT, JR., individually and in his
official capacity as Lieutenant for the Agawam Police, JAMES
DONOVAN III, individually and in his official capacity as
Sergeant for the Agawam Police, AGAWAM, CITY of INC.,
which is duly organized under the laws of the Commonwealth of
Massachusetts is sued herein in its official capacity as a
corporation under the laws of the Commonwealth, RICHARD
COHEN, individually and in his official capacity as Mayor of
Agawam, Massachusetts, ROBERT CAMPBELL, individually
and in his official capacity as Chief of Police of Agawam,
Massachusetts,
Defendants

DEFENDANTS' MOTION TO COMPEL PLAINTIFF'S
ANSWERS TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS

NOW COME the defendants, John Moccio, John Kunasek, Jr., Richard Light, Jr., James Donovan III, City of Agawam, Richard Cohen and Robert Campbell, and hereby move, pursuant to Rule 37(a)(2), that this Court order plaintiff Joseph F. Schebel, Jr. to answer interrogatories, pursuant to Rule 33, and to produce documents requested, pursuant to Rule 34. In support of their motion, the defendants state:

1. On February 6, 2006, the defendants served, pursuant to Rule 33, Interrogatories upon the pro se plaintiff, Joseph Schebel, 71 Columbia Drive, Feeding Hills, Massachusetts.
2. The 30-day period permitted by Rule 33 has expired, but the plaintiff has failed to file a written response.

3. The documents described in said Interrogatories are properly subject to discovery within the scope of Rule 33, and are described with reasonable particularity.
4. On February 6, 2006, the defendants served pursuant to Rule 34 a Request for Production of Documents upon the pro se plaintiff, Joseph Schebel, 71 Columbia Drive, Feeding Hills, Massachusetts.
5. The 30-day period permitted by Rule 34 has expired, but the plaintiff has failed to file a written response, and has failed to produce the documents requested.
6. The documents described in said Request are properly subject to discovery within the scope of Rules 26(b) and 34, and are described with reasonable particularity.

WHEREFORE, the defendants, John Moccio, John Kunasek, Jr., Richard Light, Jr., James Donovan III, City of Agawam, Richard Cohen and Robert Campbell, pray for an order compelling the plaintiff to produce the discovery requested within 14 days.

The Defendants,
JOHN MOCCIO, JOHN KUNASEK, JR., RICHARD
LIGHT, JR., JAMES DONOVAN III, CITY OF
AGAWAM, RICHARD COHEN and ROBERT
CAMPBELL,

By Their Attorneys
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I hereby certify that this document, filed through the ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on 5/5/06

